

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

—x—

ST. PAUL MERCURY INSURANCE  
COMPANY, on its own behalf and as subrogee  
of MARS 2112 WOODFIELD CORP.,

CV04 360

JUDGE TRAGER  
JUDGE CHREIN

Plaintiff,

-against-

PEPSI-COLA BOTTLING COMPANY OF  
NEW YORK, INC., and DUANE READE, INC.

**ANSWER TO  
CROSS-CLAIM**

Defendants.

—x—

The defendant, **PEPSI-COLA BOTTLING COMPANY OF NEW YORK, INC.**, by its attorneys, The Law Offices of Christopher P. DiGiulio, P.C., as and for its answer to the cross-claim of the defendant, Duane Reade, Inc., respectfully alleges and shows this Court, upon information and belief, as follows:

**FIRST:** The answering defendant denies the allegations of the cross-claim contained within the Answer of defendant, Duane Reade, Inc., as set forth in paragraphs: 13, 14 and 15.

**SECOND:** The answering defendant denies knowledge or information sufficient to form a belief as to those allegations of the cross-claim contained with the Answer of defendant, Duane Reade, Inc., as set forth in paragraph: 16.

**WHEREFORE**, defendant, PEPSI-COLA BOTTLING COMPANY OF NEW YORK, INC., demands judgment dismissing the cross-claim of defendant, Duane Reade, Inc., with the costs and disbursements of this action.

Dated:           New York, New York  
                  June 7, 2004

THE LAW OFFICES OF  
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by: \_\_\_\_\_  
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